

HCS HB 175 -- COLLECTION OF LOCAL GOVERNMENT FUNDS (Crawford)

COMMITTEE OF ORIGIN: Committee on Local Government

This substitute changes the laws regarding the collection of special assessments and delinquent property taxes. In its main provisions, the substitute:

(1) Requires the county or city clerk of the governing body creating a neighborhood improvement district (NID) to file a notice with the recorder of deeds in the county where the land is located. The notice must contain the following information: each owner of property in the NID listed as a grantor, the governing body establishing the NID listed as a grantee, a legal description of the NID, and the identifying number or a copy of the ordinance creating the NID;

(2) Authorizes the county collector in Jackson County to assess a fee for the collection of certain property assessments. Currently, only the Boone County collector can assess this fee;

(3) Specifies that an unpaid special assessment in a NID that is a lien upon the property may be foreclosed in the same manner as a tax upon real property by land tax sale under Chapter 141, RSMo, which includes charter counties, counties of the first classification, and the City of St. Louis. Currently, these liens may only be foreclosed in the same manner as a tax upon real property by a land tax sale under Chapter 140 or by a judicial foreclosure proceeding;

(4) Authorizes any county collector to add a special assessment levied for a community improvement district to the annual real estate tax bills for the properties being benefited by the district. Any unpaid special assessment on the first day of January is considered delinquent and the enforcement of the delinquent bill is to be governed by the laws concerning delinquent and back taxes. A lien may be foreclosed in the same manner as a tax upon real property by land tax sale. Currently, only the county collector in Boone County is authorized to do this;

(5) Changes the date that the county collector is required to return the delinquent tax lists and back tax books to the county commission from the first Monday in March to the second Monday in March and allows the collector to deliver an electronic copy of the back tax book;

(6) Specifies that if a person other than the owner or a lien holder pays the original property taxes plus interest, that payment will not invoke a lien on the property or person without the

knowledge and consent of the owner. Any lien invoked without the knowledge and consent of the owner will be null and void;

(7) Authorizes county collectors to use the procedures for selling property with delinquent property taxes when any special assessment is delinquent. Currently, only a special assessment for a NID is subject to the option;

(8) Authorizes any additional money from the sale of real estate for delinquent taxes or other debt that is placed in a trust fund for the owners of the property if the property sells for a greater amount than the debt to become part of the permanent school fund of the county if the funds are not called for as part of a redemption or collector's deed issuance within three years;

(9) Repeals the provisions that authorizes the county collector to retain a 50 cent fee for each certificate of purchase issued and the 25 cent fee for noting any assignment of any certificate when recording a certificate of purchase of land sold at a tax sale and to charge \$1.50 to a person applying for a tax deed in a specified circumstance. The collector continues to be authorized to receive the fee necessary to record the certificate of purchase;

(10) Repeals the provision requiring the county clerk to witness the county collector sign the deed given to the property purchaser at a tax sale; and

(11) Requires a water supply district established under Chapter 247, RSMo, and located in St. Charles County, to be under the administration of the Missouri Public Service Commission for rates, charges, or other fees.